

Senate Study Bill 1192 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government entities involved with agriculture, natural
3 resources, and environmental protection, and including
4 effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS

Section 1. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:
..... \$ 16,872,308
..... FTEs 345.00

2. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

3. Of the amount appropriated in this section, \$238,000 is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute.

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes

1 designated:

2 For purposes of supporting the department's administration
3 and enforcement of horse and dog racing law pursuant to section
4 99D.22, including for salaries, support, maintenance, and
5 miscellaneous purposes:

6 \$ 305,516

7 DESIGNATED APPROPRIATIONS — MOTOR FUEL

8 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
9 FUEL INSPECTION. There is appropriated from the renewable
10 fuel infrastructure fund created in section 15G.205 to the
11 department of agriculture and land stewardship for the fiscal
12 year beginning July 1, 2011, and ending June 30, 2012, the
13 following amount, or so much thereof as is necessary, to be
14 used for the purposes designated:

15 For purposes of the inspection of motor fuel, including
16 salaries, support, maintenance, and miscellaneous purposes:

17 \$ 500,000

18 The department shall establish and administer programs
19 for the auditing of motor fuel including biofuel processing
20 and production plants, for screening and testing motor fuel,
21 including renewable fuel, and for the inspection of motor fuel
22 sold by dealers including retail dealers who sell and dispense
23 motor fuel from motor fuel pumps.

24 DESIGNATED APPROPRIATIONS — AGRICULTURAL EDUCATION

25 Sec. 4. AGRICULTURAL EDUCATION. There is appropriated from
26 the general fund of the state to the department of agriculture
27 and land stewardship for the fiscal year beginning July 1,
28 2011, and ending June 30, 2012, the following amount, or so
29 much thereof as is necessary, to be used for the purposes
30 designated:

31 For purposes of allocating moneys to an Iowa association
32 affiliated with a national organization which promotes
33 agricultural education providing for future farmers:

34 \$ 25,000

35 DIVISION II

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS

Sec. 5. GENERAL FUND — DEPARTMENT.

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4 1. There is appropriated from the general fund of the state
5 to the department of natural resources for the fiscal year
6 beginning July 1, 2011, and ending June 30, 2012, the following
7 amount, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 For purposes of supporting the department, including its
10 divisions, for administration, regulation, and programs; for
11 salaries, support, maintenance, and miscellaneous purposes; and
12 for not more than the following full-time equivalent positions:
13 \$ 12,716,688
14 FTEs 1,145.95

15 2. The department shall submit a report each quarter of the
16 fiscal year to the legislative services agency, the department
17 of management, the members of the joint appropriations
18 subcommittee on agriculture and natural resources, and the
19 chairpersons and ranking members of the senate and house
20 committees on appropriations. The report shall describe in
21 detail the expenditure of moneys appropriated under this
22 section to support the department's administration, regulation,
23 and programs.

24 Sec. 6. STATE FISH AND GAME PROTECTION FUND — DIVISION OF
25 FISH AND WILDLIFE.

26 1. There is appropriated from the state fish and game
27 protection fund to the department of natural resources for the
28 fiscal year beginning July 1, 2011, and ending June 30, 2012,
29 the following amount, or so much thereof as is necessary, to be
30 used for the purposes designated:

31 For purposes of supporting the division of fish and
32 wildlife, including for administration, regulation, and
33 programs; and for salaries, support, maintenance, equipment,
34 and miscellaneous purposes:
35 \$ 38,793,154

1 2. Notwithstanding section 455A.10, the department may use
2 the unappropriated balance remaining in the state fish and game
3 protection fund to provide for the funding of health and life
4 insurance premium payments from unused sick leave balances of
5 conservation peace officers employed in a protection occupation
6 who retire, pursuant to section 97B.49B.

7 Sec. 7. GROUNDWATER PROTECTION FUND — WATER QUALITY. There
8 is appropriated from the groundwater protection fund created
9 in section 455E.11 to the department of natural resources for
10 the fiscal year beginning July 1, 2011, and ending June 30,
11 2012, from those moneys which are not allocated pursuant to
12 that section, the following amount, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 For purposes of supporting the department's protection
15 of the state's groundwater, including for administration,
16 regulation, and programs, and for salaries, support,
17 maintenance, equipment, and miscellaneous purposes:

18 \$ 3,455,832

19 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

20 Sec. 8. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
21 PROGRAM. There is appropriated from the special snowmobile
22 fund created under section 321G.7 to the department of natural
23 resources for the fiscal year beginning July 1, 2011, and
24 ending June 30, 2012, the following amount, or so much thereof
25 as is necessary, to be used for the purpose designated:

26 For purposes of administering and enforcing the state
27 snowmobile programs:

28 \$ 100,000

29 Sec. 9. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK
30 SECTION EXPENSES. There is appropriated from the unassigned
31 revenue fund administered by the Iowa comprehensive underground
32 storage tank fund board to the department of natural resources
33 for the fiscal year beginning July 1, 2011, and ending June 30,
34 2012, the following amount, or so much thereof as is necessary,
35 to be used for the purpose designated:

1 For purposes of paying for administration expenses of the
2 department's underground storage tank section:

3 \$ 200,000

4 Sec. 10. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR
5 SPECIAL PURPOSES. Notwithstanding any contrary provision of
6 state law, for the fiscal year beginning July 1, 2011, and
7 ending June 30, 2012, the department of natural resources may
8 use additional moneys available to the department collected
9 from storm water discharge permit fees as provided in sections
10 455B.103A and 455B.197 for the staffing of the following
11 additional full-time equivalent positions for the purposes
12 designated:

13 1. For purposes of reducing the department's floodplain
14 permit backlog:

15 FTEs 2.00

16 2. For purposes of implementing the federal total maximum
17 daily load program:

18 FTEs 2.00

19 DIVISION III

20 ELIMINATION OF POSITIONS AND EXPENDITURE OF MONEYS

21 Sec. 11. ELIMINATION OF CHIEF AND ASSISTANT CHIEF OF
22 THE LAW ENFORCEMENT BUREAU OF THE DEPARTMENT OF NATURAL
23 RESOURCES. Effective July 1, 2011, the positions of chief and
24 assistant chief of the law enforcement bureau of the department
25 of natural resources are eliminated.

26 Sec. 12. USE OF MONEYS SAVED FROM THE ELIMINATION OF
27 POSITIONS — ADDITIONAL CONSERVATION OFFICERS. For the
28 fiscal year beginning July 1, 2011, and ending June 30, 2012,
29 the department of natural resources shall use moneys saved
30 by the elimination of the positions of chief and assistant
31 chief of the law enforcement bureau of the department of
32 natural resources as provided in this division for purposes
33 of supporting two additional full-time equivalent positions
34 including salaries, support, maintenance, and miscellaneous
35 purposes. The full-time equivalent positions shall be

1 conservation officers assigned to field duties.

2 DIVISION IV

3 IOWA STATE UNIVERSITY

4 Sec. 13. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

5 1. There is appropriated from the general fund of the state
6 to Iowa state university of science and technology for the
7 fiscal year beginning July 1, 2011, and ending June 30, 2012,
8 the following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:

10 For purposes of supporting the college of veterinary
11 medicine for the operation of the veterinary diagnostic
12 laboratory and for not more than the following full-time
13 equivalent positions:

14	\$ 3,237,636
15	FTEs 44.00

16 2. a. Iowa state university of science and technology
17 shall not reduce the amount that it allocates to support the
18 college of veterinary medicine from any other source due to the
19 appropriation made in this section.

20 b. Paragraph "a" does not apply to a reduction made to
21 support the college of veterinary medicine, if the same
22 percentage of reduction imposed on the college of veterinary
23 medicine is also imposed on all of Iowa state university's
24 budget units.

25 3. If by June 30, 2012, Iowa state university of science and
26 technology fails to allocate the moneys appropriated in this
27 section to the college of veterinary medicine in accordance
28 with this section, the moneys appropriated in this section for
29 that fiscal year shall revert to the general fund of the state.

30 DIVISION V

31 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS

32 Sec. 14. DEPARTMENT OF AGRICULTURE AND LAND

33 STEWARDSHIP. There is appropriated from the environment first
34 fund created in section 8.57A to the department of agriculture
35 and land stewardship for the fiscal year beginning July 1,

1 2011, and ending June 30, 2012, the following amounts, or so
2 much thereof as is necessary, to be used for the purposes
3 designated:

4 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

5 a. For the conservation reserve enhancement program to
6 restore and construct wetlands for the purposes of intercepting
7 tile line runoff, reducing nutrient loss, improving water
8 quality, and enhancing agricultural production practices:
9 \$ 1,000,000

10 b. Not more than 10 percent of the moneys appropriated
11 in paragraph "a" may be used for costs of administration and
12 implementation of soil and water conservation practices.

13 c. Notwithstanding any other provision in law, the
14 department may provide state resources from this appropriation,
15 in combination with other appropriate environment first
16 fund appropriations, for cost sharing to match United States
17 department of agriculture, natural resources conservation
18 service, wetlands reserve enhancement program (WREP) funding
19 available to Iowa.

20 2. WATERSHED PROTECTION

21 a. For continuation of a program that provides
22 multiobjective resource protections for flood control, water
23 quality, erosion control, and natural resource conservation:
24 \$ 900,000

25 b. Not more than 10 percent of the moneys appropriated
26 in paragraph "a" may be used for costs of administration and
27 implementation of soil and water conservation practices.

28 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

29 a. For continuation of a statewide voluntary farm
30 management demonstration program to demonstrate the
31 effectiveness and adaptability of emerging practices in
32 agronomy that protect water resources and provide other
33 environmental benefits:
34 \$ 725,000

35 b. Not more than 10 percent of the moneys appropriated

1 in paragraph "a" may be used for costs of administration and
2 implementation of soil and water conservation practices.

3 c. Of the amount appropriated in paragraph "a", \$400,000
4 shall be allocated to an organization representing soybean
5 growers to provide for an agriculture and environment
6 performance program in order to carry out the purposes of this
7 subsection as specified in paragraph "a".

8 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

9 For use by the department for costs of administration and
10 implementation of soil and water conservation practices:

11 \$ 2,000,000

12 5. CONSERVATION RESERVE PROGRAM (CRP)

13 a. To encourage and assist farmers in enrolling in and the
14 implementation of the federal conservation reserve program and
15 to work with them to enhance their revegetation efforts to
16 improve water quality and habitat:

17 \$ 1,000,000

18 b. Not more than 10 percent of the moneys appropriated
19 in paragraph "a" may be used for costs of administration and
20 implementation of soil and water conservation practices.

21 6. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

22 a. For deposit in the loess hills development and
23 conservation fund created in section 161D.2:

24 \$ 300,000

25 b. (1) Of the amount appropriated in paragraph "a",
26 \$200,000 shall be allocated to the fund's hungry canyons
27 account.

28 (2) Not more than 10 percent of the moneys allocated to the
29 hungry canyons account as provided in subparagraph (1) may be
30 used for administrative costs.

31 c. (1) Of the amount appropriated in paragraph "a",
32 \$100,000 shall be allocated to the fund's loess hills alliance
33 account.

34 (2) Not more than 10 percent of the moneys allocated to the
35 loess hills alliance account as provided in subparagraph (1)

1 may be used for administrative costs.

2 7. SOIL AND WATER CONSERVATION

3 a. For use by the department in providing for soil and
4 water conservation administration, the conservation of soil and
5 water resources, or the support of soil and water conservation
6 district commissioners:

7 \$ 6,300,000

8 b. The department may deposit any amount of the moneys into
9 the Mississippi river basin healthy watersheds initiative fund
10 created in section 161G.2.

11 Sec. 15. DEPARTMENT OF NATURAL RESOURCES. There is
12 appropriated from the environment first fund created in section
13 8.57A to the department of natural resources for the fiscal
14 year beginning July 1, 2011, and ending June 30, 2012, the
15 following amounts, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 1. KEEPERS OF THE LAND

18 For statewide coordination of volunteer efforts under the
19 water quality and keepers of the land programs:

20 \$ 100,000

21 2. STATE PARKS MAINTENANCE AND OPERATIONS

22 For regular maintenance of state parks and staff time
23 associated with these activities:

24 \$ 3,110,000

25 3. FORESTRY MANAGEMENT

26 To provide for forestry management programs:

27 \$ 100,000

28 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)

29 To provide local watershed managers with geographic
30 information system data for their use in developing,
31 monitoring, and displaying results of their watershed work:

32 \$ 195,000

33 5. WATER QUALITY MONITORING

34 For continuing the establishment and operation of water
35 quality monitoring stations:

1 \$ 2,955,000
2 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
3 For deposit in the public water supply system account of the
4 water quality protection fund created in section 455B.183A:
5 \$ 500,000
6 7. REGULATION OF ANIMAL FEEDING OPERATIONS
7 For the regulation of animal feeding operations, including
8 as provided for in chapters 459 and 459A:
9 \$ 520,000
10 8. AMBIENT AIR QUALITY
11 For the abatement, control, and prevention of ambient
12 air pollution in this state, including measures as necessary
13 to assure attainment and maintenance of ambient air quality
14 standards from particulate matter:
15 \$ 425,000
16 9. WATER QUANTITY REGULATION
17 For regulating water quantity from surface and subsurface
18 sources by providing for the allocation and use of water
19 resources, the protection and management of water resources,
20 and the preclusion of conflicts among users of water resources,
21 including as provided in chapter 455B, division III, part 4:
22 \$ 495,000

23 Sec. 16. REVERSION. Notwithstanding section 8.33,
24 moneys appropriated for the fiscal year beginning July 1,
25 2011, in this division of this Act that remain unencumbered
26 or unobligated at the close of the fiscal year shall not
27 revert but shall remain available to be used for the purposes
28 designated until the close of the fiscal year beginning July 1,
29 2012, or until the project for which the appropriation was made
30 is completed, whichever is earlier.

31 DIVISION VI
32 RESOURCES ENHANCEMENT
33 AND PROTECTION (REAP) FUND

34 Sec. 17. ENVIRONMENT FIRST FUND. Notwithstanding the
35 amount of the standing appropriation from the general fund of

1 the state to the Iowa resources enhancement and protection
2 fund as provided in section 455A.18, there is appropriated
3 from the environment first fund created in section 8.57A to
4 the Iowa resources enhancement and protection fund, in lieu of
5 the appropriation made in section 455A.18, for the fiscal year
6 beginning July 1, 2011, and ending June 30, 2012, the following
7 amount, to be allocated as provided in section 455A.19:

8 \$ 12,375,000

9 DIVISION VII

10 RELATED MISCELLANEOUS PROVISIONS

11 Sec. 18. AGRICULTURAL DRAINAGE WELL CLOSURE — REPORT. The
12 department of agriculture and land stewardship shall prepare
13 a report regarding agricultural drainage wells that have not
14 been closed as provided in chapter 460. The report shall
15 include an inventory of agricultural drainage wells that remain
16 unclosed, a projected timeline for closing the agricultural
17 drainage wells, and an estimate of the costs for closing each
18 agricultural drainage well. The department shall submit the
19 report to the governor and fiscal services division of the
20 legislative services agency not later than November 15, 2011.

21 DIVISION VIII

22 RELATED STATUTORY CHANGES

23 Sec. 19. Section 455G.3, subsections 6 and 7, Code 2011, are
24 amended to read as follows:

25 6. a. For the fiscal year beginning July 1, 2010, and each
26 fiscal year thereafter, there is appropriated from the Iowa
27 comprehensive petroleum underground storage tank fund to the
28 department of natural resources two hundred thousand dollars
29 for purposes of technical review support to be conducted by
30 nongovernmental entities for leaking underground storage tank
31 assessments.

32 b. Notwithstanding section 8.33, moneys appropriated in this
33 subsection that remain unencumbered or unobligated at the close
34 of the fiscal year shall not revert but shall remain available
35 for expenditure for the purposes designated until the close of

1 the succeeding fiscal year.

2 7. a. For the fiscal year beginning July 1, 2010, there is
3 appropriated from the Iowa comprehensive petroleum underground
4 storage tank fund to the department of natural resources one
5 hundred thousand dollars for purposes of database modifications
6 necessary to accept batched external data regarding underground
7 storage tank inspections conducted by nongovernmental entities.

8 b. Notwithstanding section 8.33, moneys appropriated in this
9 subsection that remain unencumbered or unobligated at the close
10 of the fiscal year shall not revert but shall remain available
11 for expenditure for the purposes designated until the close of
12 the succeeding fiscal year.

13 Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this
14 Act, being deemed of immediate importance, takes effect upon
15 enactment.

16 EXPLANATION

17 GENERAL. This bill relates to agriculture and natural
18 resources by making appropriations for the 2011-2012 fiscal
19 year to support related entities, including the department of
20 agriculture and land stewardship, the department of natural
21 resources, and Iowa state university.

22 The bill appropriates moneys to the department of
23 agriculture and land stewardship and the department of natural
24 resources. The appropriations are made to support those
25 departments for administration, regulation, and programs. The
26 bill requires the departments to submit quarterly reports to
27 the general assembly and department of management regarding the
28 expenditure of appropriated moneys. The bill also provides
29 moneys to support specific programs or projects administered by
30 those departments. The bill appropriates moneys from a number
31 of sources, including the general fund of the state, the state
32 fish and game protection fund, the groundwater protection fund,
33 and the environment first fund. The bill is organized into
34 divisions.

35 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the

1 department of agriculture and land stewardship, moneys are
2 appropriated in order to support its divisions.

3 The bill appropriates moneys from the general fund of the
4 state to support designated programs, including horse and dog
5 racing, motor fuel inspection, and agricultural education.

6 DEPARTMENT OF NATURAL RESOURCES. For the department of
7 natural resources, moneys are appropriated from the general
8 fund in order to support its divisions.

9 The bill makes appropriations from other funds. The bill
10 appropriates moneys to the department of natural resources from
11 the state fish and game protection fund to support programs
12 related to fish and wildlife. The bill appropriates moneys
13 from the groundwater protection fund to support groundwater
14 quality. The bill appropriates moneys from the snowmobile fund
15 to the department for snowmobile programs.

16 The bill includes miscellaneous provisions. An
17 appropriation is made from the unassigned revenue fund
18 administered by the Iowa comprehensive underground storage
19 tank fund board to the department of natural resources for
20 administration and expenses of the underground storage tank
21 section.

22 The bill provides that the department of natural
23 resources may use additional funds for staffing to reduce the
24 department's floodplain permit backlog and implementing the
25 federal maximum daily load program.

26 ELIMINATION OF POSITIONS AND EXPENDITURE OF MONEYS. The
27 bill eliminates the chief and assistant chief of the law
28 enforcement bureau of the department of natural resources. It
29 authorizes the department of natural resources to use savings
30 from the elimination to support two conservation officers.

31 IOWA STATE UNIVERSITY. The bill appropriates moneys from
32 the general fund of the state for the operation of the Iowa
33 state university's veterinary diagnostic laboratory.

34 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND. The
35 bill appropriates moneys from the environment first fund to

1 support a number of programs administered by the department
2 of agriculture and land stewardship and the department of
3 natural resources. The bill also appropriates moneys from the
4 environment first fund to the Iowa resources enhancement and
5 protection fund in lieu of the \$20 million appropriated by Code
6 section 455A.18 from the general fund of the state.

7 RELATED MISCELLANEOUS PROVISIONS. The department of
8 agriculture and land stewardship must submit a report to
9 the governor and general assembly inventorying agricultural
10 drainage wells that remain unclosed.

11 RELATED STATUTORY CHANGES. The bill amends a provision
12 in Code section 455G.3 establishing an Iowa comprehensive
13 petroleum underground storage tank fund and provides an annual
14 standing limited appropriation from the fund to the department
15 of natural resources to support technical reviews of leaking
16 underground storage tank assessments. The bill also addresses
17 a one-time appropriation for database modifications regarding
18 inspections conducted by nongovernmental entities. The bill
19 provides that the appropriated moneys do not revert.